

ORDINANCE NO. 429

AN ORDINANCE OF THE TOWNSHIP OF SPRING, BERKS COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP OF SPRING ZONING ORDINANCE OF 2015, ORDINANCE NO. 415 OF 2015 (CHAPTER XXXII ENTITLED "ZONING" OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF SPRING), BY: (1) AMENDING THE ZONING MAP FOR THE TOWNSHIP OF SPRING TO PROVIDE THAT CERTAIN LAND LOCATED AT THE NORTHEAST CORNER OF IROQUOIS AVENUE AND HILLVALE AVENUE SHALL BE CHANGED FROM THE PLANNED OFFICE / BUSINESS (POB) ZONING DISTRICT TO THE URBAN (U) ZONING DISTRICT; AND (2) AMENDING PART 3 ENTITLED "ZONING DISTRICTS AND USE REGULATIONS", SECTION 324 ENTITLED "COMPLIANCE AND PERFORMANCE STANDARDS FOR CERTAIN PRINCIPAL USES", SUBSECTION (B) ENTITLED "ADDITIONAL REQUIREMENTS", SUBSECTION (43) ENTITLED "GARDEN APARTMENTS OR SINGLE-FAMILY ATTACHED DWELLINGS (TOWNHOUSES)", SUBPARAGRAPH (C) TO DECREASE THE PARKING AREA SETBACK FROM LOT LINE OR STREET ULTIMATE RIGHT-OF-WAY FOR GARDEN APARTMENT USES FROM 30 FEET TO 15 FEET

NOW THEREFORE BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Spring, Berks County, Pennsylvania (the "Township of Spring") and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. The Zoning Map for the Township of Spring is hereby amended so as to provide that a portion of that certain tract of land recorded as Instrument No. / Deed Volume 5037, Page 0669 in the Berks County Recorder of Deeds Office, having a Parcel Identification Number of 80438611559521, more commonly known as the northeast corner of Iroquois Avenue and Hillvale Avenue (the "Subject Property"), currently constituting a portion of the Zoning District designated as Planned Office/Business (POB) Zoning District, henceforth shall be designated as a portion of the Urban (U) Zoning District. The portion of the Subject Property to be re-designated as being within the Urban District (U) Zoning District is depicted on Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 2. Subparagraph (c) of Subsection (43) entitled "Garden Apartments or Single-Family Attached Dwellings (Townhouses)", of Subsection B entitled "Additional Requirements", of Section 324 entitled "Compliance and Performance Standards for Certain Principal Uses", of Part 3 entitled "Zoning Districts and Use Regulations", of the Township of Spring Zoning Ordinance of 2015 (Chapter XXXII entitled "Zoning" of the Code of Ordinances of the Township of Spring) is amended to reduce the required parking area

setback from lot line or street ultimate right-of-way for Garden Apartment uses from 30 feet to 15 feet.

SECTION 3. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 4. If any provision, sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of the Township of Spring that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof had not been included herein.

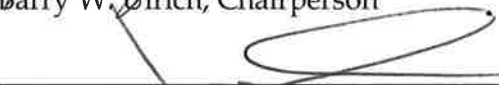
SECTION 5. The Code of Ordinances of the Township of Spring, as amended, shall be and remain unchanged and in full force and effect, except as amended, supplemented and modified by this Ordinance. This Ordinance shall be come a part of the Code of Ordinances of the Township of Spring, as amended, upon adoption.

SECTION 6. This Ordinance shall become effective in accordance with the law.

ENACTED AND ORDAINED this 13<sup>th</sup> day of July, 2017.

BOARD OF SUPERVISORS OF  
THE TOWNSHIP OF SPRING,  
BERKS COUNTY, PENNSYLVANIA

  
\_\_\_\_\_  
Barry W. Ulrich, Chairperson

  
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James R. Oswald, Vice Chairperson

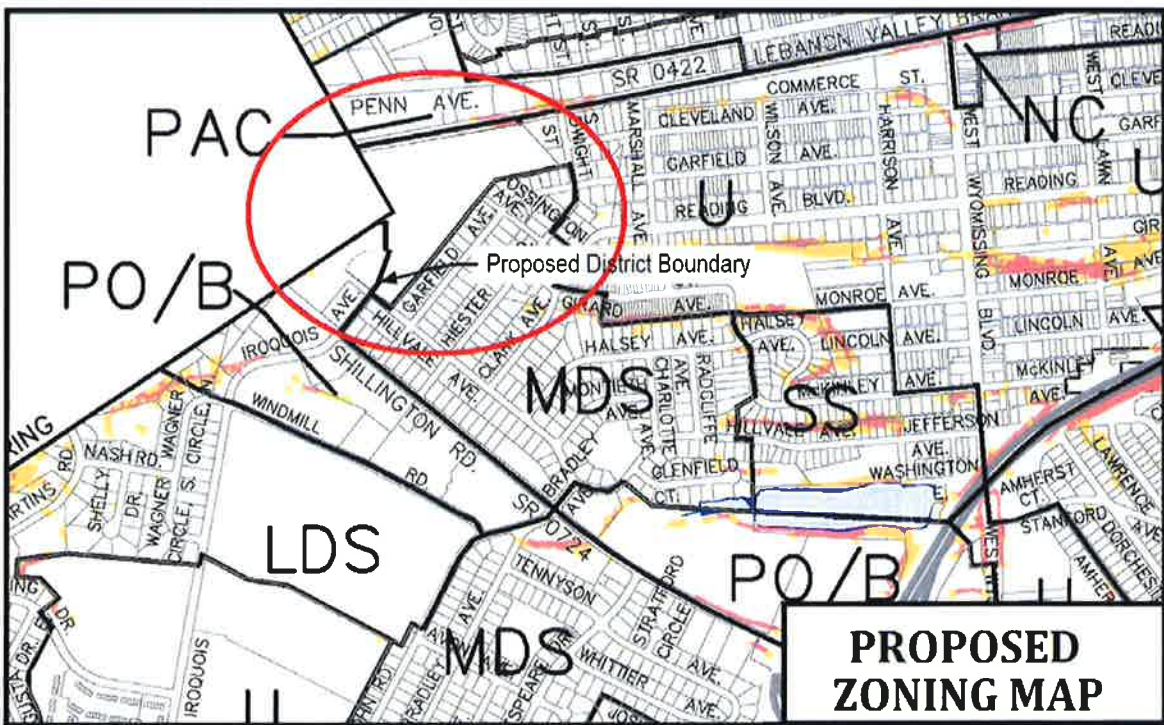
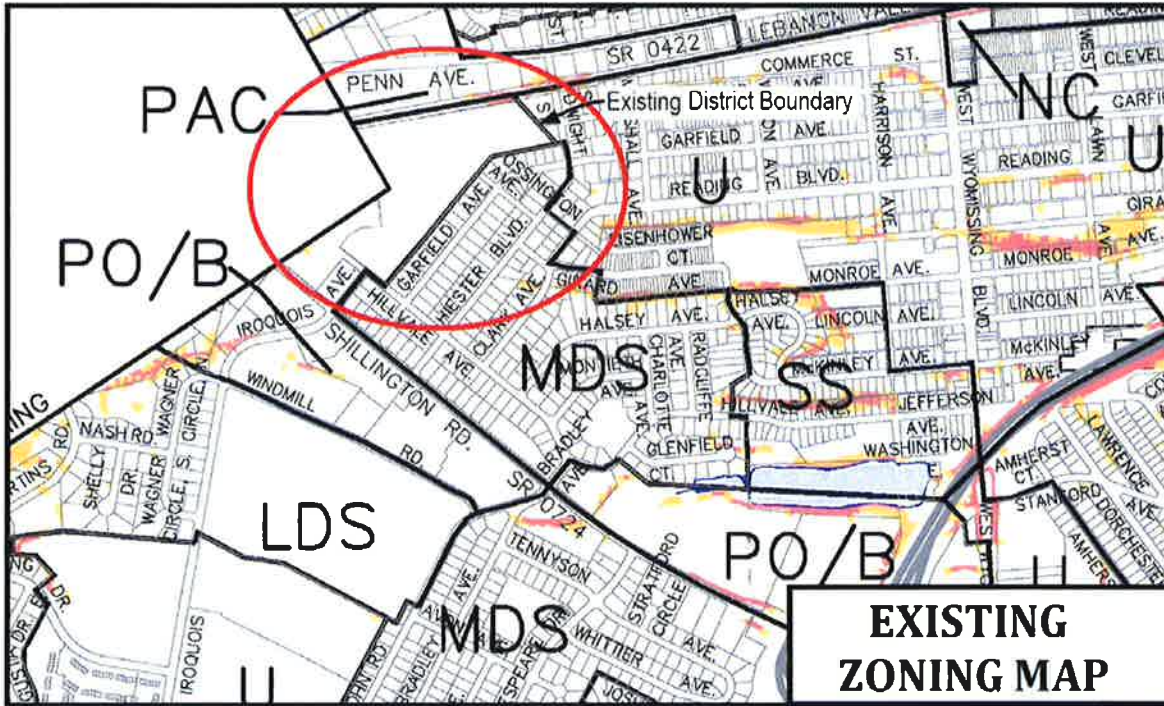
  
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Alan S. Kreider

  
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Robert M. Myer

  
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Patti J. Smith

Attest:   
(Assistant) Secretary

EXHIBIT "A"



MUNICIPAL CERTIFICATION

I, Sheryl Rowan, (Assistant) Secretary of the TOWNSHIP OF SPRING, BERKS COUNTY, PENNSYLVANIA, do hereby certify that the foregoing Ordinance 429 was advertised in the *Reading Eagle*, a daily newspaper of general circulation in the Township of Spring, on Wednesday, June 28, 2017 and Wednesday, July 5, 2017, and was duly enacted and approved as set forth at a regular meeting of the Board of Supervisors held on Thursday, July 13, 2017.

(SEAL)

  
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(Assistant) Secretary